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August 25, 2005

VIA FAX – (601) 352-7757
and REGULAR MAIL
Ms. Betty Mallett
McGlinchey Stafford PLLC
City Centre, Suite 1100
200 South Lamar Street
Jackson, MS 39201

Re: *Olivia Y. et al. v. Barbour et al.*

Dear Ms. Mallett:

I write in response to your letter of August 23, 2005, related to Defendants' incomplete production of documents in response to Plaintiffs' Fifth Request for Production of Documents.

As to Document Request no. 9, Plaintiffs will limit their request at this time to the provider and licensing files maintained by Defendants for the homes and facilities listed in the logs of maltreatment in care investigations at Bates DHS 053503-053529 (enclosed). We note that according to Gail Young's May 17, 2005, R. 30(b)(6) testimony, these provider and licensing files are maintained in the State Office or in the County Offices depending on the type of placement, and are not complete without the related MACWIS provider files (*see* Young depo 30:7-19; 31:4-7; 41:1-5)(enclosed). Please produce these documents by August 31, 2005. Plaintiffs reserve the right to pursue additional responsive documents as needed.

Further, as to the documents compelled by J. Nicols' July 18, 2005 Order, I note that your July 29, 2005 production did not include a current MACWIS report as testified to by Ms. Triplett and compelled by the Court. Moreover, as made clear by the logs regarding investigations of maltreatment in care referenced above that were produced pursuant to the Order, the related investigation reports are noted to have been received or printed from MACWIS by the State Office. These documents are clearly responsive to Request No. 35 of Plaintiffs' First Request for Production of Documents and should be immediately produced pursuant to the July 18, 2005 Order compelling such responsive documents.

I look forward to your immediate response to these pending deficiencies.

Sincerely yours,

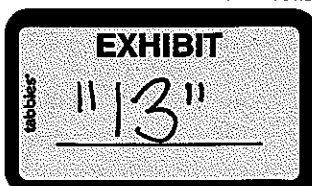
Eric Thompson
Plaintiffs' counsel

Encls.

cc: Stephen Leech, Esq.
Wayne Drinkwater & Melody McAnally, Bradley Arant
John Lang, Loeb & Loeb

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Calendar Year 2005

MDHS

Foster Home Investigations

Date MDHS Received Report	Date Reported to State Office	County R-Service (if different)	Agency Foster Home & Alleged Perpetrator	Child(ren) Involved DOB & Allegations	Date State Office Received Investigative Report	Findings
02/08/05	02/08/05	Pearl River	Karen & Bill Robracker Perp(s): Karen & Bill Robracker	Tara Sanders, 07/23/93 Physical Abuse Heather Sanders, 07/23/93 Physical Abuse Caleb Lopez, 10/03/03 Physical Abuse	04/05/05 Printed from MACWIS	No Evidence
03/07/05	03/29/05	Warren	Sherry Roberts Perp: Sherry Roberts	Tanya Drewery, 09/11/91 Emotional Abuse/Neglect Brittany Livingston, 01/28/02 Emotional Abuse/Neglect	03/29/05	No Evidence
03/31/05	04/19/05	Harrison	Marie & Victor Ross Perp: Marie Ross	Zachary Rogers, 10/10/94 Physical Abuse	04/19/05	No Evidence
03/31/05	05/04/05	Hinds	Mae Jacobs Perp: Sterling Jacobs	Bernice Burns, 01/18/98 Sexual Abuse Murteshia Burns, 02/28/00 Sexual Abuse	05/04/05	No Evidence No Evidence
03/31/05	05/04/05	Hinds	Mae Jacobs Perp: Harold Floyd	Arlista Jacobs, 05/31/94 Sexual Abuse	05/04/05	No Evidence
04/07/05	04/18/05	Quitman	Daphne & Tommy Rogers Perp(s): Daphne & Tommy Rogers	Meochia Macon, 12/21/90 Physical Neglect	Printed from MACWIS 05/12/05	No Evidence
05/25/05	05/25/05	R-Clay S-Okribbeha	Kimberly Spruell	Kelyn simmons, 08/12/90	They were involved in a car accident. No investigation will be done.	No Evidence
11/23/04	06/03/05	Harrison	Peggy & Joe Raymond Perp(s): Peggy & Joe Raymond	Foster Children (Not specific) Emotional Abuse/Neglect	06/03/05	No Evidence

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Calendar Year 2005
MDHS
Foster Home Investigations

Date MDHS Received Report	Date Reported to State Office	County R -Responsible S -Service (if different)	Agency Foster Home & Alleged Perpetrator	Child(ren) Involved DOB & Allegations	Date State Office Received Investigative Report	Findings
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06/16/05	06/17/05	R-Forrest S-Grenada	Teresa Reed (Stepping Stones) Perp: Teresa Reed	Jamys King, 02/11/04 Physical neglect Akasha King, 03/02/05 Physical Neglect		

Calendar Year 2004

MDHS

Foster Home Investigations

Date MDHS Received Report	Date Reported to State Office	County R-Responsible S-Service (if different)	Agency Foster Home & Alleged Perpetrator	Child(ren) Involved DOB & Allegations	Date State Office Received Investigative Report	Findings
10/23/03	08/09/04	Forrest	Barbara Visser Perp: Barbara Visser	Stacy McRaney, 09/30/87 Physical Neglect	08/09/04	No Evidence
12/18/03	01/26/04	Pearl River	Terry & Allison Hall Perp: Terry Hall	Alexa B. Bigner, 10/25/00 Sally R. Bigner, 07/02/97 Taylor Morris, 10/23/98 Austin Hall, 10/19/99 Dyshque Chatman, 11/22/93	01/26/04	No Evidence No Evidence No Evidence No Evidence CS-Evidenced
02/04/04	02/13/04	Jones	Frankie Lee Jefferson Perp: Jackie Hamby	Jessica Berry, 01/21/97 PHY Neg	02/24/04	No Evidence
01/29/04	02/13/04	Forrest	Johnnie Hatten Perp: Johnnie Hatten	Jessica Dratin, 05/06/93 PHY Abuse	5/12/05 Printed from MACWIS	No Evidence
02/28/04	02/20/04	R-E. Bolivar S-Humphreys	Georgia Sneed Perp: Georgia Sneed	Kimberly Hamilton Physical & Emotional Abuse	03/17/04	No Evidence
03/04/04	03/17/04	R-Rankin S-Lee	Kay Smith, Youth Villages Foster Home Perp: Kay Smith	Peaches Reedy, 07/15/99 Physical Neglect	05/17/04	No Evidence
04/12/04	05/17/04	Forest	Tausha Monet Graves Perp: Tausha Graves	Michael Terhune, 05/04/98 Physical Abuse	04/27/04	No Evidence
04/06/04	04/27/04	R-Lafayette S-Pontotoc	Ruth Delorse Perp: Ruth Delorse	Cortrese Jones, 07/15/68 Sexual Abuse	07/27/04 Printed from MACWIS	CS-Evidenced
04/19/04	04/21/04	R-Destoto S-Desoto	Christine & Tim Jones Perp: Willie Jones	Arionte Lusby Alleged: Physical Abuse	05/13/05 Verbal from RD	CA-Evidenced
05/13/04	05/13/04	R-E. Bolivar	Mary McAbee Perps: Mary McAbee Gebraska Brown	Carolyn Harris, 8/11/95 Alleged: Physical Abuse	08/05/04	No Evidence
06/15/04	08/05/04	R-Leake S-Warren	Rhonda & James Hall Perp: Suzanne Fowler			

DHS
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Calendar Year 2004
MDHS
Foster Home Investigations

Date MDHS Received Report	Date Reported to State Office	County R-Responsible S-Service (if different)	Agency Foster Home & Alleged Perpetrator	Child(ren) Involved DOB & Allegations	Date State Office Received Investigative Report	Findings
06/25/04	07/22/04	Forrest R-Marion S-Jones	Regina Parker Perp: Regina Parker Perp: Ronald Montgomery	Recarlais Alexander, 7/15/90 Alleged: Sexual Abuse Alleged: Physical Neglect	07/22/04	No evidence
06/28/04	09/29/04	R-Washington R-Washington	Gloria & William Manning Perp: William Manning	Barquiesha Madison, 8/01/98 Alleged: Sexual Abuse	09/29/04	No Evidence
07/06/04	10/19/04	George	Jackie Littlefield Perp: Jackie Littlefield	Santana Canard, 10/03/00 Physical Abuse	10/19/04	No evidence
07/30/04	09/24/04	R-Warren S-Hinds	Bessie Chambers Perp: Bessie Chambers Perp: Angela Chambers	Antion Brown, 10/6/97 Physical Abuse Demetrius Brown, 8/17/96 Physical Abuse	09/24/04	No evidence
08/23/04	10/11/04	Tunica	Annie Shields Perp: Annie Shields	Karnesta Thomas, 11/9/89 Physical Neglect/Abuse, Emotional abuse/neglect Pierre Thomas, 6/14/92 Physical Neglect Ravel Thomas, 1/20/95 Physical Abuse/Neglect Jana Shield, 7/13/95 Physical Neglect	10/11/04	No Evidence
08/27/04	08/27/04	R-Winston S-Warren	Sherry & Dave Roberts Perp: Sherry Roberts	Tiffany Livingston, 10/24/94 Alleged: Physical Abuse	08/29/04	No Evidence
09/03/04	09/24/04	Warren	Billie Kinsey Perp: Billie Kinsey	Belinda Shears, 9/8/95 Physical Abuse	09/24/04	No evidence
09/03/04	09/24/04	Warren	Pat Wilson Perp: Pat Wilson	Alex Shears, 9/5/99 Physical Abuse	09/24/04	No evidence

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Calendar Year 2004
MDHS
Foster Home Investigations

Date MDHS Received Report	Date Reported to State Office	County R-Responsible S-Service (if different)	Agency Foster Home & Alleged Perpetrator	Child(ren) Involved DOB & Allegations	Date State Office Received Investigative Report	Findings
09/24/04	09/27/04	R-Forrest S-Forrest	Barbara Lee Perp: Tanya Lee	Brandon Bowman, 9/07/87 Alleged Emotional Abuse/Neglect	10/08/04	No Evidence
10/04/04	02/09/05	Hinds	Alma & Willie Haley Perp: Willie Haley	Christopher May, 11/29/94 Physical Abuse	02/09/05	No Evidence
10/29/04	12/13/04	Forrest	Jacqueline & Danny Magee Perp: Danny Magee	Jadaisia Thurmond, 8/23/86 Sexual Abuse	12/13/04	CS-Evidenced
10/18/04	10/18/04	Harrison	Joe Raymond Perp: Joe Raymond	Autumn Dubois, 3/4/89 Sexual Abuse	12/01/04	No Evidence
11/03/04	02/09/05	Warren	Mildred Martin Perp: Mildred Martin	Natalie Hayes, 7/15/85 Physical Abuse Taniya Hayes, 2/24/04 Physical Abuse	02/09/05	No Evidence
11/04/04	11/19/04	Lamar	Sylvia & Billy Gray Perp: Billy Gray	Jadastia Thurmond Sexual Abuse	12/28/04	No Evidence
11/05/04	01/11/05	Warren	Billie Kinsey Perp: Billie Kinsey	Rebecca Hopson, 8/02/02 Medical Neglect	01/11/05	No Evidence
12/21/03	12/29/04	DeSoto	Gloria & Rodmann Hansen Perp: Rodmann Hansen	Jessica Derrick, 7/21/99 Sexual Abuse	05/13/05 Printed from MACWIS	No Evidence

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CALENDAR YEAR 2003
MDHS
AGENCY (FOSTER) HOME INVESTIGATIONS

Date County Rec'd Report	Date/Type "Incident" Reported to S.O.	County / Region R -Responsible S -Service	Agency Foster Home/ Alleged Perpetrator	Children Involved / Allegations	Date S.O. Received Investigative Report	Findings (& Victim, if Evidenced)
1/16/03	1/31/03	Union	Jarvis, Gayle Perp: same	Miller, Andrew T. 1/29/92 Miller, Brandon 11/16/90 Alleged: Physical Abuse	1/31/03	No evidence on either victim
1/31/03	2/3/03	DeSoto	Reed, Lora Reed, Fredrick Perp: same	Wade, Ricco, age 5 Alleged: Physical Abuse	9/16/03	No evidence
1/31/03	2/3/03	DeSoto	Harris, Nellie Harris, Robert Perp: same	Moore, Randall, age 13 Alleged: Physical Abuse	9/16/03	No evidence
2/27/03	2/28/03	Alcorn	Brooks, Paul Perp: same	Brooks, Jessica, age 17 Hasen, Jo Anna, age 5 Alleged: Sexual Abuse	3/19/03	CS Evidence - Jessica No Evidence - Jo Anna
3/19/03	3/19/03	DeSoto	Curran, Debra Curran, Michael Perp: Debra Curran	Johnson, Tommie 13 Alleged: Physical Abuse	4/3/03	No evidence
4/9/03	4/10/03	Jones	Jefferson, Frankie Perp: Doug Jefferson (foster parent's son)	White, Ashley age 12 Allegd: Sexual Abuse	9/19/03	CE- Evidenced CA- No Evidence

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Date County Rec'd Report	Date/Type "Incident" Reported to S.O.	County / Region R -Responsible S -Service	Agency Foster Home/ Alleged Perpetrator	Children Involved / Allegations	Date S.O. Received Investigative Report	Findings (& Victim, if Evidenced)
2/19/03	4/14/03	Hancock	Lee, Earl Perp: Lee, Earl, foster parent. Also, Kasey Lee alleged perp on Patrick H. Collins	Beal, Rachel - 4/22/88 - CN Beal, David - 5/4/89 - CN Boney, Ashley - CN DOB: 12/12/88 Collins, Patrick H. - CN DOB: 6/7/01 Collins, Patrick H. - CA DOB: 6/7/01	4/14/03	No Evidence of CN or CA toward any of the children
		Washington Copy of RD's letter to foster parents rec'd 5/27/03 re: "no evidence to substantiate allegations." Protection Unit had not rec'd notice of a report on this home.	Mr. & Mrs. Dennis McNeer - Cleveland, MS	Unknown. Copy of RD's letter only to the "foster parents" from McDaniel rec'd 5/27/03		
6/2/03	7/10/03	Pearl River	Hutchings, Laurie Perp - same - Foster Mother	Bergens, Alexandra, 9/18/89 Brand, Hilary 5/5/87 (age 16) Alleged: CN	7/10/03	No evidence
6/27/03		Prentiss	Mahan, Angela - Foster mtr Perp: Angela	Gillard, Tyesha 8/26/99 Alleged: CA	7/30/03	No Evidence of CA

Date County Rec'd Report	Date/Type "Incident" Reported to S.O.	County / Region R -Responsible S -Service	Agency Foster Home/ Alleged Perpetrator	Children Involved / Allegations	Date S.O. Received Investigative Report	Findings (& Victim, if Evidenced)
4/11/03		Coahoma	McNeer, Dennis and Karen Perp: Dennis McNeer	Julian, Glymayla "Penny" age 4; W/F Moreland, Terry age 2; W/M Alleged: CS - Glymayla	5/27/03 Rec'd only the RD's letter to the foster parents	No Evidence of CS
7/22/03		Tishomingo	Foster, Daniel Lance and Sandra Perp: Sandra Foster	Avery, Ashley, age 11 Griffith, Heather, age 6 Griffith, Morgan, age 9 Eaton, Lisa, age 9 Eaton, William Eric, age 4 Alleged: CE / CA	8/11/03 Rec'd only the RD's letter to the foster parents	No Evidence of either allegation
6/26/03		Forrest	Jones, Ethel Perp: Jones, Ethel and Paige, Tamika	Collins, Katrina, age 11 Thurmond, Brandena C., 10 Reed, Kabrena, age 10 Curry, Raymond, age 8 Curry, Anthony, age 5 Paige, Chloe W., age 8 Bolton, Andrei, age 4 Bolton, Danielle, age 6 Alleged: CA / CE / CN	8/18/03	Evidenced - CE only on Brandena Thurmond; No Evidence CA/CN Violation of policy by using corporal punishment
6/2/03		Pearl River	Hutchings, Laurie Perp: same	Bergens, Alexandra L. 9/18/89 Brand, Hilary 5/5/87 Alleged: AN	8/28/03	No Evidence
9/30/03	10/03/03	Pearl River, Region 6-N	Deborah Bounds Foster Home Perp: Julian Bounds	Destiny Walker Alleged: Child Sexual	12/15/03	No Evidence

Date County Rec'd Report	Date/Type "Incident" Reported to S.O.	County / Region R-Responsible S-Service	Agency Foster Home/ Alleged Perpetrator	Children Involved / Allegations	Date S.O. Received Investigative Report	Findings (& Victim, if Evidenced)
10/01/03	10/03/03	Forrest, Region 6-N	Joy Crosby	Stacy Morris Spartacus Harley Kiara Cunningham Candace Norris	2/26/04 Copied from MACWIS	No Evidence on either child.
10/1/03	10/03/03	Forrest, Region 6-N	Joy Crosby	Danielle Ramirez Samuel Smith	2/26/04 Copied from MACWIS	No Evidence on either child.
1/05/03		Jones, Region 6-N	Frankie Jefferson	Shanequa Arrington Teeice White Mark McCullum		CE Evidenced, Shanequa CA-No Evidence, Shanequa CA-No Evidence, Teeice CE-Evidenced, Mark
11/05/03	11/10/03	Pearl River, Region 6-N	Pam & Shane Gordon Michael Bishop	Kerry Banner Alleged: Child Abuse Gabrielle Banner Alleged: Child Abuse	2/26/04 Copied from MACWIS	No Evidence on either child.
8/08/03	11/18/03	Forrest, Region 6-N	Barbara Viser	Stacy McRaney Alleged: Child Abuse/Neglect	11/18/03	No Evidence
6/12/03	11/17/03	Jackson, Region 6-S	Glenda Noble	Victoria Bilbo Alleged: Child Abuse	11/17/03	No Evidence
11/12/03	11/24/03	Stone, Region 6-N	James Magee	Reginald Williams Alleged: Child Abuse		Did not see in MACWIS
11/12/03	12/01/03	Washington, Region II	Luke Harp Foster Home Perp: Luke Harp	Akeem Lewis Alleged: Physical Abuse	12/01/03	No Evidence

Date County Rec'd Report	Date/Type "Incident" Reported to S.O.	County / Region R -Responsible S -Service	Agency Foster Home/ Alleged Perpetrator	Children Involved / Allegations	Date S.O. Received Investigative Report	Findings (& Victim, if Evidenced)
11/18/03	12/01/03	Jackson, Region 6-S	David & Jackie Denman Foster Home Perp: David & Jackie Denman	Cody Riback Alleged: Child Abuse/Neglect	12/01/03	No Evidence
10/09/03	12/04/03	Harrison, Region 6-S	Michelle Green Foster Home Perp: Michelle Green	Twanda Norwood Alleged: Child Abuse Tamara Floyd Alleged: Child Abuse	12/04/03	CA Evidenced-Twanda CA Evidenced-Tamara
12/08/03	12/11/03	Okribbeha, Region 4	Noynesa & William Jordan Foster Home Perps: Noynesa & William Jordan	Steven Lambert, Child Abuse Willie Lambert, Child Abuse Kenya Jackson, Child Abuse Angelique Finley, Child Abuse	12/15/03	CB Evidenced - Steven CB Evidenced - Willie CB Evidenced - Kenya CB Evidence - Angelique
12/21/03	12/30/03	Desoto, Region I-W	Rodmann Hanson Foster Home Perp: Rodmann Hanson	Jessica Derrick, DOB-7/21/99 Alleged: Sexual Abuse	2/26/04 Copied from MACWIS	No Evidence
12/23/03	12/30/03	Marshall, Region I-W	Carolyn Faulkner Foster Home Perp: Carolyn Faulkner	Christina Faulkner, DOB-7/30/99 Alleged: Physical Abuse Develia Spight, DOB-1/15/01 Alleged : Physical Abuse	2/26/04 Copied from MACWIS	No Evidence on either child.
12/08/03	12/16/03	Neshoba Region 4	Frances Shannon Foster Home Perp: Frances Shannon	Trinity Foley Alleged: Physical Abuse Cassidy Foley Alleged: Physical Abuse	12/16/03	CA-Evidenced, Cassidy CA-No Evidence

Yr: 2002 CPS OUT-OF-HOME INVESTIGATIONS
MDHS Agency (Foster) Homes

Date County Rec'd Report	Date/Type "Incident" Reported to S.O.	County/Region R- Responsible S- Service	Agency Foster Home/ Perpetrator	Children Involved/ Allegations	Date S.O. Received Investigative Report	Findings (& Victim # Evidenced)
1/8/02		Walshall Reg. V	Foster mtr: Weary, Yolanda Perp: same	Dillon, Angela - age 11. DOB: 7/6/90 (only alleged victim)	3/8/02	Alleged: physical & emotional abuse. No Evidence of A/N; but violation of agency policy on corporal punishment
1/2/02		Clatborne - R Hinds - S Reg. 5	Shorter, J.C. Perp: same	Burnette, Tamela - age 17; 10/27/84 (only alleged victim)	3/22/02	Alleged Sexual abuse No Evidence
1/10/02		Forrest Reg. 6 N	Foster mtr: Coleman, Betty Perp: Same	Hathorn, Gregory 6 B/M (only alleged victim)	4/15/02	Alleged Physical Abuse No Evidence of CA; violation of agency policy.
3/14/02		Hinds Reg. 7	Foster mtr: Willie Body Perp: Same	Seals, James 9/24/92 (only alleged victim)	4/23/02	Alleged Physical Abuse No Evidence
3/14/02		Hinds Reg. 7	Foster Mtr: Lela Heath Perp: Same	Crawford, LaDarius 7/28/93 (only alleged victim)	4/23/02	Alleged Physical Abuse No Evidence
4/22/02	MACWIS prints rec'd 5/13/02	Jones VI-N	Foster Parent: Jefferson, Frankie L. Perp: same	White, Ashley L. 3/29/91 - B/F Arrington, Shantequa L. 7/28/02 B/F	5/1/02	Alleged Physical Abuse No Evidence - no victim

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Date County Rec'd Report	Date/Type "Incident" Reported to S.O.	County/Region R- Responsible S- Service	Agency Foster Home/ Perpetrator	Children Involved/ Allegations	Date S.O. Received Investigative Report	Findings (& Victim if Evidenced)
5/28/02	6/10/02 by MACWIS screen prints	Pearl River Reg. VI-N	Smith, Johnnie M. Perp: Same	Ray, Ashawan, age 3 B/F Alleged: Physical abuse		
?	6/10/02	Hancock Reg. VI N Sandy Wright, SW Harrison Co. Call-in to Hotline. Assigned SW - Sandy Wright	Vogelmeier, John & Mary Perp: Mary (foster mtr)	Blackwell, Brittney W/F age 3 - Sean - W/M age 9 Haley - W/F, age 6 Amber - W/F, age 8 Alleged: foster mother whipped Brittany with her hand & made siblings stand against the wall w/head leaning on it	6/24/02	NO EVIDENCE. Concerns noted and recommendations made by RD - Zandie Rogers.
5/3/02		County? Lacey O'Quin SW - Reg. V	Hall, Pearl Perp: same	Powell, Tekira b/f; 9/8/97 Alleged: Physical Abuse	7/8/02	EVIDENCE

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Date County Rec'd Report	Date/Type "Incident" Reported to S.O.	County/Region R- Responsible S- Service	Agency Foster Home/ Perpetrator	Children Involved/ Allegations	Date S.O. Received Investigative Report	Findings (& Victim if Evidenced)
8/20/02	-----	Harrison	Foster parents: Debra and James Fox Perp: Debra Fox	Skinner, William 9 y.o. Taylor, Don 9 y.o. Bilbo, Krystia 9 y.o. Mateen, Donelle R. 8 yo Mateen, Danielle L. 8 yo Bilbo, Victoria 8 y.o Silkwood, Jessica L. 1 yo Alleged: AN/CA. All left in car w/ windows rolled up. Use of corporal punishment.	9/16/02	EVIDENCE -CN - all children. All removed.
8/8/02		Harrison	Foster parents: Donnie & Laura Jenkins Perp: Laura Jenkins	Gross, Tyleber L., age 6 - 1/15/96 Craft, Charmaine, age 14 - 11/4/87 Alleged: Physical abuse	9/25/02	No Evidence - both children
11/7/02	11/8/02	Stone	Foster Parents: Irvin & Andelle Whitaker Perp: Andelle Whitaker	Morgan, Christina, age 3 Alleged: Physical Abuse		
10/17/02	-----	Hancock	Foster parents: Gordon and June Herron Perp: foster parents and Danny Lightell	Martin, Corey 7/28/93 Martin, Olivia 7/6/96 Foster, Kayla 10/12/97 Martin, Chloe 11/12/99 Collins, Elcia 8/12/87 Alleged: physical abuse and neglect	11/20/02	No Evidence
11/5/02	-----	Lee I-E	Foster Parents: James & Catherine Ivory Perp: James Ivory	Blaylock, Contreal, age 11 DOB: 5/29/91 Alleged: Physical Abuse	11/27/02	Evidence

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**Calendar Year 2005
Out-of-Home
Facility Investigations**

Date MDHS Received Report	Date Reported to State Office	County R-Responsible S-Service (if different)	Facility & Alleged Perpetrator	Child(ren) Involved DOB & Allegations	Date State Office Received Investigative Report	Findings
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01/05/05	05/09/05	W Chickasaw	Millcreek of Pontotoc Markious Hollan	Antonio Cosby, 1-17-92 Physical Abuse	05/09/05	No Evidence
01/21/05	05/09/05	Clay	Sally Kate Winters Ex-employees	Ashley Clark 5-23-89 Physical Neglect Sean Catledge 3-13-89 Physical Neglect	05/03/05 09	CN-Evidenced
02/25/05	05/09/05	Pontotoc	Millcreek of Pontotoc Alisha Tillman	Patsy Burgess 9-18-93 Physical Abuse	05/09/05	No Evidence
04/15/05	04/28/05	R-Rankin S-Jones	McCarty Home for Boys	Joshua Spann Physical Abuse		
06/08/05	06/08/05	George	Eagle Point Staff	Salvador Montes, 13 y/o Physical Neglect	Referred to Health Department and Law Enforcement	

All corrections made

**Calendar Year 2004
Out-of-Home
Facility Investigations**

Date MDHS Received Report	Date Reported to State Office	County R- Service (if different)	Facility & Alleged Perpetrator	Child(ren) Involved DOB & Allegations	Date State Office Received Investigative Report	Findings
01/05/04	01/14/04	Pontotoc	Millcreek of Pontotoc Perp: Ellis A. Scott	Marquette N. Smith, 11-15-92 Physical Abuse	01/14/04	No Evidence
01/06/04	01/06/04	Stone	Baptist Children's Village, Deanash Campus Perp: Rebecca Davis	Manda Smith 15 y/o Sexual Abuse	01/06/04	01/06/04 Law Enforcement
12/17/03	01/15/04	Pontotoc	Millcreek of Pontotoc Perp: Ellis A. Scott	Willie J. Sanders, 01/15/90 Physical Abuse	01/15/04	No Evidence
01/22/04	03/30/04	Pearl River	St. Francis Academy Perps: Glenda Harruff Frank Harruff	Kolayer T. Chapman, 06/02/88 Physical & Emotional Abuse	04/30/04	CA-Evidenced CE-Evidenced
02/05/04	02/26/04	Chickasaw	Sunnybrook Children's Home Perp: Kimberly Everett	Santana Williams Emotional & Physical Abuse	02/26/04	CE Evidenced
02/26/04 1/30/04	02/26/04	R-Pearl River S-Madison	Sunnybrook Children's Home Perp: Randy Shoemaker	Felisa Frelich, 01/07/88 Sexual Abuse	02/26/04	CE Evidenced
03/01/04	03/01/04	Madison	Sunnybrook Children's Home Perp: Brittany Frelich	Brittany Frelich, 9-19-90 Sexual Abuse	03/01/04	Screened out.
03/08/04	04/05/04	R-Monroe S-Pontotoc	Millcreek of Pontotoc Perp: LaTonya Williamson	Julie Alexander, 02/12/90 Sexual Abuse	04/05/04	No Evidence
03/11/04	04/05/04	Pontotoc	Millcreek of Pontotoc Perp: Regina Simon	Ashley Curtright, 10/21/94 Physical Abuse	04/05/04	No Evidence
03/23/04	04/12/04	R-DeSoto S-Pontotoc	Millcreek of Pontotoc Perp: Another resident	Christopher Jones, 04/08/95 Physical Abuse	04/12/04	No Evidence
04/08/04	04/08/04	George	Bethel Home Perp: Instructor Cameron	Colin Crompton, 14 y/o Physical Abuse	04/08/04	Screened out referred to law enforcement & health dept
04/13/04	04/23/04	R-Winston S-Pontotoc	Millcreek of Pontotoc Perp: Unknown	Vince Jackson, 04/13/93 Physical Abuse	04/23/04	No Evidence

DHS
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**Calendar Year 2004
Out-of-Home
Facility Investigations**

Date MDHS Received Report	Date Reported to State Office	County R- Responsible S -Service (if different)	Facility & Alleged Perpetrator	Child(ren) Involved DOB & Allegations	Date State Office Received Investigative Report	Findings
04/23/04	05/14/04	S-Pontotoc	Millcreek of Pontotoc Perp: Dewayne Farris	Larobert Mitchell, 04/12/92 Physical Abuse	05/14/04	No Evidence
05/19/04	07/07/04	S-Pontotoc R-Union	Millcreek of Pontotoc Perp: Daniel Campbell	Joseph Richards, 03/29/98 Physical Abuse	07/20/04 Printed from MACWIS	No Evidence
06/08/04	07/07/04	Pontotoc	Millcreek of Pontotoc Perp: Michael Humphrey	James Ener, 07/20/92 Physical Abuse	07/20/04 Printed from MACWIS	No Evidence
06/15/04	08/05/04	Warren	Warren County Children's Shelter Perp: Eddie Wells	Denzel Hawkins, 06/07/93 Physical Abuse	08/05/04	No Evidence
06/17/04	06/17/04	Alcorn	Sally Kate Winters Perps: Employees/Director	Brandon Stacy, 12/21.92 Physical Abuse	Printed 6-22-05	No evidence
06/22/04	06/24/04	Hinds Pearl River	Christians in Action Perp: Kerrie Banner	Kanausha Hunt, 09/04/00 Sexual Abuse	08/05/04	No Evidence
09/21/04	10/15/04	R-Rankin S-Coahoma	Bass Home Perp: Robert Jones	Michaele Cullen, 09/08/86 Sexual Abuse	10/15/04	CS-Evidenced

**CALENDAR YEAR 2003
OUT OF HOME
FACILITY INVESTIGATIONS**

Date County Rec'd Report	Date Incident Reported to S. O.	County/ Region R- Responsible S -Service	Facility / Alleged Perp	Children Involved & Allegations	Date S.O. Received Investigative Report	Findings (& Victim, if Evidenced)
	1/8/03	Madison, Winston, Rankin, Warren Hinds - S	Baptist Children's Village Perp: Amber Cox (resident) W/F/13	Edwards, Toni W/F/3-26-93 Frith, Samantha, W/F/9-15-91 Frith, Callie W/F/1-20-94 Alleged: Sexual misconduct		Screened Out
1/16/03	2/6/03	Pontotoc	Millcreek Perps - staff: Campbell, Daniel Nolder, Terry G.	Chapman, Kolayer T., 6/2/88 Alleged: Physical Abuse	2/6/03	No Evidence
1/23/03		SIMPSON	Millcreek Perps - staff: Tina Binson Marcus Allen	Latimer, DeVaughn, w/m DOB 3/25/95 Alleged: Physical Abuse	2/7/03	No Evidence
2/21/03	2/21/03	GEORGE	Bethel Boy's Home Lucedale, MS	No Victim Identified Alleged: Neglect/Abuse		Did not see in MACWIF

Date County Rec'd Report	Date Incident Reported to S. O.	County/ Region R- Responsible S-Service	Facility / Alleged Perp	Children Involved & Allegations	Date S.O. Received Investigative Report	Findings (& Victim, if Evidenced)
?	3/11/03	HINDS	The ARK Perp: Melvin Carter	Holmes, Erica B/F DOB 1/29/88 Alleged: Victim said on 3/7/03, Melvin grabbed her butt. Also, said on 3/9/03, he rubbed a banana across her breast.		Did not see in file
3/25/03	4/1/03 CS	FORREST Reporter: SMCC staff via letter to Licensure Unit	South MS Children's Center (SMCC) Perp: Allen Sutton (staff employee)	Davis, Donnisha (female resident) Pearl River child	9/19/03	CS: Evidenced Victim: Donnisha Davis
7 5/29/03	5/30/03	HOLMES Reporter: Sammie Stuart	Youth Villages Therapeutic Foster Home Foster Parents: Tammy McDonald & Anthony Banks	Truss, Myra B/F DOB 7/7/02 (11 months) Alleged: Baby taken to Dr. 5/29/03 w/fracture leg. Dr feels it was an unfortunate accident. Baby was born premature, blind, lung disorder which requires oxygen. Oxygen cord wrapped around baby's leg. There is another medically fragile 2 yr old in this home.	Printed from MACWIS 11/24/03	No Evidence
6/4/03	6/26/03	PEARL RIVER	St. Francis Academy Perp: Shonda Kelly, House Teacher	May, Carmel B/M, age 16 DOB 2/18/87 Victim said Shonda Kelly hit him in the mouth. Victim had a busted lip.	6/26/03	Finding: Evidence - CA

Date County Rec'd Report	Date Incident Reported to S. O.	County/ Region R- Responsible S -Service	Facility / Alleged Perp	Children Involved & Allegations	Date S.O. Received Investigative Report	Findings (& Victim, if Evidenced)
6/25/03	6/25/03	HINDS	Baptist Children's Village Perp: Fredia White, age 15 B/F, DOB 3/31/88	Cox, Matthew, age 12, W/M DOB 8/19/90 Witnesses said Fredia was sitting on Matthew's lap on the bus and was fingering her. They admit they have engaged in sex. Fredia is in custody of Lauderdale and Matthew in custody of Madison Co.		Screened Out
6/17/03	6/25/03	JONES	Baptist Children's Home (Laurel, MS) Perps: Sidney Davis Dir. Pat Davis, Dir's wife Betty Turnbo, Sec.	1) Brunty, Alden - age not given 2) Brunty, Desiree - age not given 3) Chelsea (last name unk). Numerous concerns reported: (1) Arranges visits with sponsors away from home. (2) Clothing out of season; don't fit. (3) Shoes to tight caused blisters on feet. (4) Medication not dispensed properly; medical attn. not sought		Did not see in MACW15
?	7/28/03	HINDS	Oakley Training School Perp: Oliver Nelson	Clark, Brandon, B/M; DOB 4/1/88 Alleged: Oliver choked Brandon; grabbed him by the throat and hit him in the chest. Happened Fri. or Sat.		Did not see in MACW15

Date County Rec'd Report	Date Incident Reported to S. O.	County/ Region R- Responsible S -Service	Facility / Alleged Perp	Children Involved & Allegations	Date S.O. Received Investigative Report	Findings (& Victim, if Evidenced)
5/2/03		PONTOTOC	Millcreek Perp: Debbie Bullard staff member	Vardaman, Tevin, age 10; DOB 4/29/92 Childress, Justin, age 11; DOB 12/11/95 Alleged: CE / CN	6/6/03 Rec'd only the RD's letter to the facility	No Evidence of either allegation
? Unable to pull up report in MACWIS		PONTOTOC	Millcreek Perp: Dewayne Farris, staff member	Freeman, Michael, DOB 9/4/92 Alleged: CA. Can't pull up report in MACWIS	6/18/03 Rec'd only the RD's letter to the facility	No Evidence
?		PONTOTOC	Millcreek Perp: Unknown	Eggleston, Paul DOB/Age unknown Alleged: Unknown Can't pull up report in MACWIS	7/7/03 Rec'd only the RD's letter to the facility	No Evidence
7/21/03		W. Chickasaw	Gardner Simmons Home for Girls Foster Parents: Forrest & Wanda Collums Perp: Forrest Collums	Collums, Dulaney, DOB 10/7/88 age 14 Collums, Sheila, DOB 7/26/93; age 10 Alleged: CE/CA - Dulaney Alleged: CS/CE/CA - Sheila	8/12/03 Rec'd only the RD's letter to the facility	No Evidence
5/16/03		JONES	MILLCREEK - Perp: Melinda Allen, staff person	Allen, William S. 12/19/91 age 11 Alleged: Physical & Sexual Abuse	8/18/03	No Evidence of either allegation

Date County Rec'd Report	Date Incident Reported to S. O.	County/ Region R- Responsible S -Service	Facility / Alleged Perp	Children Involved & Allegations	Date S.O. Received Investigative Report	Findings (& Victim, if Evidenced)
8/14/03		PONTOTOC	MILLCREEK Perp: Sharon D. Petty (staff person)	Decker, Michael K., 6/12/93; age 10 Alleged: Physical Abuse	8/28/03	No Evidence
8/11/03	9/02/03	Itawamba, Region I-E	Harden House Perpetrators: Judy Arnette Debra Russom Janet McMillan (Staff)	Emosha Weeks, 2/24/91 Alleged: Medical Neglect	9/02/03	No Evidence
8/14/03	9/04/03	Pontotoc, Region I-E	Harden House/Kenneth Grisham Adoptive Home Perp: Kenneth Grisham	Charles McCowen, 8/27/98 Alleged: Physical Abuse	9/04/03	CA: Evidenced Victim: Charles McCowen
9/11/03	9/23/03	Pontotoc, Region I-E	Millcreek of Pontotoc Perp: Edwin I. Marion	Andrew Miller Alleged: Sexual Abuse	9/23/03	CS: Evidenced Victim: Andrew Miller
9/18/03	10/16/03	Pontotoc, Region I-E	Millcreek of Pontotoc Perp: Carl Warren	Lazarus Thomas Alleged: Physical Abuse	10/16/03	No evidence
10/13/03	10/19/03	Pontotoc, Region I-E	Millcreek of Pontotoc Perp: Shamara Littlejohn	David Thomas Alleged: Physical Abuse	10/29/03	No evidence
9/09/03	9/22/03	Hinds, Region VII	Our House	Fredrick Burns Alleged: Child Neglect	No info	
9/09/03	9/22/03	Hinds, Region VII	Our House	Tiara Hudson Alleged: Child Neglect	in	

Date County Rec'd Report	Date Incident Reported to S. O.	County/ Region R- Responsible S- Service	Facility / Alleged Perp	Children Involved & Allegations	Date S.O. Received Investigative Report	Findings (& Victim, if Evidenced)
9/09/03	9/22/03	Hinds, Region VII	Our House	Charles Carey Alleged: Child Neglect	<i>Did not sign</i>	<i>MACWIS</i>
11/18/03	11/18/03	Lincoln, Region V	Baptist Children's Village, Dickerson Place Perp: Michael Guthrie <i>Van Alsdorf</i>	Christian Garrison Alleged: Sexual Abuse Joseph Dobbs Alleged: Sexual Abuse	<i>Screened out - ANE REPORT NOT Documented</i>	
10/17/03	11/17/03	Pontotoc, Region I-E	Millcreek of Pontotoc Perp: Michael Cufier	Franklin Thompson Alleged: Sexual Abuse	11/17/03	No Evidence
10/01/03	10/02/03	Desoto, Region I-W	Desoto Sunrise Emergency Shelter Perp: Peggy Day	Tyrone Small, DOB-9/15/03 Alleged: Physical Abuse	1/20/04	No Evidence
10/13/03	10/15/03	Desoto, Region I-W	Desoto Sunrise Emergency Shelter Perp: Steve McMillian	Mickey Duskin, DOB-9/09/1991 Alleged: Physical Abuse	1/20/04	CA-Evidenced
1/06/04	1/06/04	Stone, Region 6-N	Baptist Children's Village, Deanash Campus Perp: Rebecca Davis	Manda Smith Alleged: Child Sexual		
10/14/03	10/14/03	Humphreys, Region II	Sacred Heart Ministry for Children Perp: Shirley Williams	Laqueta Malone, 1-26-90 Alleged: Child Abuse <i>Physical</i>	<i>6-22-05</i> <i>MACWIS</i>	<i>No Evidence</i>
11/12/03	11/24/03	Stone, Region 6-N	James Magee	Reginald Williams, 5/10/90 Alleged: Child Abuse	05/13/05	No Evidence
11/18/03	12/24/03	Pontotoc, Region I-E	Millcreek of Pontotoc Perps: Marquette Smith David Unknown	Larry Thomas Alleged: Sexual Abuse	12/24/03	No Evidence

Yr: 2002 CPS OUT-OF-HOME INVESTIGATIONS FACILITIES

Date County Rec'd Report	Date/Type "Incident" Reported to S.O.	County/ Region	Facility/ Perp	Children Involved / Allegations	Date S.O. Received Investigative Report	Findings (& Victim if Evidenced)
	1/28/02 CN	Desoto 1W	Desoto Sunrise Home Perp: Staff	Mack, Mallory 19 mo. W/F (alleged: not taken to doctor)	9.16.03	No evidence
	1/30/02 CN	Hinds 7	Center for Family Life Ext. (CARES?) Perp: Staff	Collins, Cortez B/M 8/15/87 (alleged: lack of supervision)		
1-24-03	1/24/02 CA	Hinds 7	CARES Behavioral Health Systems - School Perp: Mr. Perry and Ms Patrell Mr.	Southern, Erik 12 W/M (alleged: teachers threw him down - has bruises on arms, upper back & chest)	Printed from Macwib 11-24-03	No evidence
	2/4/02 CS / CN	E. Chickasaw 1E	Sunnybrook Children's Home Foster Home: Clayton & Kimberly Everett Perp: Emmanuel Johnson, 13 W/M - Alcorn Co. foster child	Walley, Michael, 4 W/M Perry Co. foster child (alleged: perp admitted he put his penis in Michael's mouth)		
3/5/02		Simpson 5	Millcreek Perp: Antonio Brown - client on MR Unit	Gordon, Felton, age 10 B/M (Alleged: sexual abuse by 18 y.o resident)	3/13/02	No Evidence. However, staff violated Millcreek's "bathroom policy" re: supervision

Date County Rec'd Report	Date/Type "Incident" Reported to S.O.	County/ Region	Facility/ Perp	Children Involved / Allegations	Date S.O. Received Investigative Report	Findings (& Victim if Evidenced)
5/6/02	5/8/02	Lee	Alpha House Group Home Tupelo, MS (Primary Caretaker @ facility - Jerry Clayton). Incidents occurred @ Melissa Spencer's (Perp / SW @ Alpha House) home, and once at Alpha House	Noble, Hale, age 17 <u>Allegation:</u> Sexual intercourse with Melissa Spencer about 20 times at Spencer's home, and once at Alpha Group Home over the last 6 months.	5/21/02 MACWIS screen prints rec'd	EVIDENCED - CS Hale Noble - victim
	2/2/02	Simpson Reg. 5	Millcreek Rehab Center Perp: LaTonya Ducksworth	Hawkins, Samantha DOB: 1/15/88 <u>Alleged:</u> Physical Abuse - employee hit Samanatha in right eye, that caused bruising.	5/2/02	EVIDENCED - CA Victim: Samantha Hawkins
4/1/02		Natchez Reg 5	Sunrise Shelter Natchez, MS Perp: Gail Heley, Dir.	McGriggs, Amanda DOB: 3/2/90 B/F <u>Alleged:</u> Physical Abuse. Dir. shoved a door into Amanda's head.	5/2/02	NO EVIDENCE
not stated		Webster Reg. 1 E	Hope Christian Home - unlicensed group home Perp: The Prather's. Sheriff's Office took lead role. DHS role was supportive only to law enforcement	Tukua, Tiffany Draper, Johanna not an MDHS facility.	5/13/02	n/a
not stated	5/22/02 Amie Clark, SW -reporter	Rankin Reg 3	Sunnybrook Children's Home Perp: Mary Summers, age 11, In custody of Hancock Co.	Ruddell, Ethan, W/M, age 3 <u>Alleged:</u> two residents witnessed Mary touching Ethan's private part as he lay naked on her bed. He was screaming "I want my mommy"		

Date County Rec'd Report	Date/Type "Incident" Reported to S.O.	County/ Region	Facility/ Perp	Children Involved / Allegations	Date S.O. Received Investigative Report	Findings (& Victim if Evidenced)
5/9/02	5/10/02	Hancock 6 S	Youth Villages' (Memphis) staff member "Mr. Fox" - age 27 B/M	Perp coerced two sixteen-year old girls (not in DHS' custody) to have sex with him. The staff member was transporting Johnathon (a foster child) to visit family to MS.		Protection Unit director suggested report be filed with law enforcement as an Out of Home and Licensure
?	6/27/02 (Mechille Henry, Acting RD, called Gail Young)	Jackson 6 S	Bacot Therapeutic Group Home	Children had been hit with pans; put on restriction for 3 weeks & allowed to come out only for meals. Matt Matthews' (ASWS- Jackson Co) wife is director of Bacot. Mr. Matthews has been making DHS supervisory visits with the children.		
7/24/02	7/23/02 to Hotline	Pearl River	St. Francis Academy, St. Michael's Campus Perp: another student, age 17 Michael Holliman	Henry, Gabriel, age 13. Alleged: several occasions of oral sexual activity	9.19.03	Evidenced
7/15/02 9/1/02	9/27/02 memo from ASWS, Chauncey Gillard 9/27/02	Benton/ Marshall Co I-W SAME	New Hope Home for Boys Director- Mr. Mayfield Exec. Dir - Alfred Moore SAME	Boys at Home Alleged: Lack of Supervision; Neglect Similar allegations	9/27/02 same	Evidence Evidence
9/23/02	10/30/02	Covington 6N	Memorial Behavioral Health?? Residential Facility Perp: Earl D. Kelly, Houseparent	Powers, Justin age 15, B/M, Alleged: Houseparent physically assaulted Justin on two occasions.	10/30/02	No Evidence

[illegible]

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

OLIVIA Y., et al.

PLAINTIFFS,

VS.

CIVIL ACTION NO. 3:04CV251LN

HALEY BARBOUR, et al.

DEFENDANTS.

30(b)(6) DEPOSITION OF GAIL YOUNG

Taken at the offices of Bradley, Arant, Rose & White, LLP,
on May 16, 2005, beginning at 1:34 P.M.

REPORTED BY:

REBECCA A. KIDDER

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<p>1 APPEARANCES:</p> <p>2</p> <p>3 ERIC E. THOMPSON, ESQUIRE</p> <p>4 TARA S. CREAN, ESQUIRE</p> <p>5 Children's Rights</p> <p>6 404 Park Avenue South</p> <p>7 New York, New York 10016</p> <p>8 Telephone: 212.683.2210</p> <p>9 Fax: 212.683.4015</p> <p>10 ATTORNEYS FOR PLAINTIFFS</p> <p>11</p> <p>12 BETTY A. MALLET, ESQUIRE</p> <p>13 McGlinchey Stafford, PLLC</p> <p>14 Skytel Centre South, Suite 1100</p> <p>15 200 South Lamar Street</p> <p>16 Jackson, Mississippi 39201</p> <p>17 Telephone: 601.960.8424</p> <p>18 Fax: 601.960.8431</p> <p>19 ATTORNEY FOR DEFENDANTS</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>Page 2</p> <p>1 STIPULATION</p> <p>2 It is hereby stipulated and agreed by and between the</p> <p>3 parties hereto, through their respective attorneys of record,</p> <p>4 that this deposition may be taken at the time and place</p> <p>5 hereinbefore set forth, by Rebecca A. Kidder, Court Reporter and</p> <p>6 Notary Public, pursuant to the Mississippi Rules of Civil</p> <p>7 Procedure, as amended;</p> <p>8 That the formality of READING AND SIGNING is</p> <p>9 specifically NOT WAIVED;</p> <p>10 That all objections, except as to the form of the</p> <p>11 questions and the responsiveness of the answers, are reserved</p> <p>12 until such time as this deposition, or any part thereof, may be</p> <p>13 used or is sought to be used in evidence.</p> <p>14 ---</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p>1 T-A-B-L-E O-F C-O-N-T-E-N-T-S</p> <p>2 Examination By: Page</p> <p>3 MR. THOMPSON 5</p> <p>4 Exhibits:</p> <p>5 54: Placement log 8</p> <p>6 55: Quality improvement report on in-home cases 58</p> <p>7 Stipulation 4</p> <p>8 Certificate of Court Reporter 72</p> <p>9 Witness Signature Sheet 73</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>Page 3</p> <p>1 GAIL YOUNG</p> <p>2 having been first duly sworn, was</p> <p>3 examined and testified as follows:</p> <p>4</p> <p>5 EXAMINATION</p> <p>6 MR. THOMPSON:</p> <p>7 Q. Good afternoon, Ms. Young. As you know my name</p> <p>8 is Eric Thompson. I'm here with Ms. Tara Crean. We both</p> <p>9 represent plaintiffs in the matter of Olivia Y. v Barbour. Do</p> <p>10 you understand that you're here today to give sworn testimony in</p> <p>11 that matter?</p> <p>12 THE WITNESS:</p> <p>13 A. Yes.</p> <p>14 Q. What is your current position with DHS?</p> <p>15 A. I'm a Division Director II.</p> <p>16 Q. I'm showing you what's been previously marked as</p> <p>17 Exhibit 33 at page four and subsequently. Do you see Exhibit A</p> <p>18 there?</p> <p>19 A. Yes.</p> <p>20 Q. Have you reviewed this notice of deposition and</p> <p>21 the subject matters enclosed in Exhibit A?</p> <p>22 MS. MALLET:</p> <p>23 I think you gave her the wrong one.</p> <p>24 MR. THOMPSON:</p> <p>25 Q. I'm sorry. Let me show you what's been</p> <p>STATE-WIDE REPORTERS (228) 432-0770</p>

<p style="text-align: right;">Page 30</p> <p>1 file?</p> <p>2 A. Yes.</p> <p>3 Q. You mentioned that some of the adoption staff are</p> <p>4 located outside of the state office. Does that include the</p> <p>5 licensing specialists?</p> <p>6 A. Yes.</p> <p>7 Q. As a result, do the licensing specialists</p> <p>8 maintain any foster care resource files outside of the state</p> <p>9 office placement unit?</p> <p>10 A. They do maintain duplicates of the foster homes</p> <p>11 but not of the child placing agencies and the licensed child</p> <p>12 care facilities and those licensing specialists are located in</p> <p>13 the state office for the group facilities.</p> <p>14 Q. And as to the foster homes, when you say they</p> <p>15 maintain duplicates does that mean that there is, at the state</p> <p>16 office, a complete paper file maintained on all those resources?</p> <p>17 A. Actually the state file is the duplicate. The</p> <p>18 state file may not contain all of the information that the local</p> <p>19 level has.</p> <p>20 Q. How many licensing specialists are there</p> <p>21 currently?</p> <p>22 A. Around 12, I believe.</p> <p>23 Q. And they're assigned statewide?</p> <p>24 A. Yes.</p> <p>25 Q. Are they located principally at regional offices</p> <p style="text-align: center;">STATE-WIDE REPORTERS (228) 432-0770</p>	<p style="text-align: right;">Page 32</p> <p>1 county.</p> <p>2 Q. Are there currently any counties that don't have</p> <p>3 a licensing specialist assigned?</p> <p>4 A. Right now with the foster adopt, it's kind of the</p> <p>5 adoption specialist and licensing specialist.</p> <p>6 Q. You said you have approximately 12 licensing</p> <p>7 specialists throughout the state; is that correct?</p> <p>8 A. That's correct.</p> <p>9 Q. How many foster adopt personnel do you have?</p> <p>10 A. Probably about 15 in the adoption plus the 12</p> <p>11 licensing and prior to that those duties were covered by county</p> <p>12 social workers in some cases.</p> <p>13 Q. Currently though, does each county have either a</p> <p>14 licensing specialist or one of these foster adopt personnel</p> <p>15 assigned to it to license foster homes?</p> <p>16 A. They would be assigned through the adoption</p> <p>17 administration; yes.</p> <p>18 Q. To your knowledge, each county has someone</p> <p>19 assigned to it for licensing besides a case worker?</p> <p>20 A. Yes.</p> <p>21 MR. THOMPSON:</p> <p>22 Why don't we take a break here?</p> <p>23 (WHEREUPON A SHORT RECESS WAS TAKEN.)</p> <p>24</p> <p>25 MR. THOMPSON:</p> <p style="text-align: center;">STATE-WIDE REPORTERS (228) 432-0770</p>
<p style="text-align: right;">Page 31</p> <p>1 or also at the county offices?</p> <p>2 A. Probably more so in the county offices. There</p> <p>3 could be a few at the regional offices.</p> <p>4 Q. Does each licensing specialist maintain their own</p> <p>5 set of files as to the resources that they're responsible for</p> <p>6 monitoring?</p> <p>7 A. Yes.</p> <p>8 Q. Is there a process for the information from those</p> <p>9 files being incorporated into the files that were kept at the</p> <p>10 placement unit at the state office?</p> <p>11 A. There is certain information that's required to</p> <p>12 be sent to the state office.</p> <p>13 Q. Is it the placement unit staff in the state</p> <p>14 office that enters into MACWIS information on the placement</p> <p>15 resources?</p> <p>16 A. For the residential it is; for the residential</p> <p>17 childcare facilities and child placing agencies. The state</p> <p>18 office staff enters in that information.</p> <p>19 Q. And then for the foster homes is it the licensing</p> <p>20 specialists that are assigned throughout the state to enter that</p> <p>21 information?</p> <p>22 A. Yes.</p> <p>23 Q. Are there some counties or regions that don't</p> <p>24 have a licensing specialist assigned?</p> <p>25 A. The specialists can be assigned more than one</p> <p style="text-align: center;">STATE-WIDE REPORTERS (228) 432-0770</p>	<p style="text-align: right;">Page 33</p> <p>1 Q. Are the foster home files that are</p> <p>2 maintained by the licensing specialists limited to those foster</p> <p>3 homes licensed by DHS?</p> <p>4 THE WITNESS:</p> <p>5 A. Yes.</p> <p>6 Q. So do they keep any files on child specific</p> <p>7 foster homes approved by the youth court?</p> <p>8 A. They would all be maintained in the same</p> <p>9 locations as their licensed foster home.</p> <p>10 Q. Let me show you what's been previously marked</p> <p>11 Exhibit 51. Do you recognize this to be a MACWIS report on</p> <p>12 children in placement by placement type?</p> <p>13 A. Yes.</p> <p>14 Q. Under the column labeled 'child specific relative</p> <p>15 home,' are these homes that would have files maintained by the</p> <p>16 licensing specialist?</p> <p>17 MS. MALLETT:</p> <p>18 I'm going to object. She was to testify to paper</p> <p>19 files.</p> <p>20 THE WITNESS:</p> <p>21 A. The foster homes would be maintained by the</p> <p>22 licensing specialist, and the child specific relative homes</p> <p>23 would be maintained in the child's county file by the social</p> <p>24 worker.</p> <p>25 MR. THOMPSON:</p> <p style="text-align: center;">STATE-WIDE REPORTERS (228) 432-0770</p>

Page 38

1 Q. Besides looking up the files for the
2 children placed in any given foster home, is there any other way
3 that face-to-face contacts with the foster care provider may
4 have occurred that may have been completed by a case worker and
5 would be documented in the foster home file?

6 A. Usually not.

7 Q. Are you aware of any tracking by your staff of
8 whether or not foster care providers are receiving monthly face-
9 to-face contacts as required?

10 A. We do not track that.

11 Q. As to group homes and other facilities licensed
12 by DHS, how often do those licenses need to be renewed?

13 A. Annually.

14 Q. Does that re-evaluation process include a psych
15 visit?

16 A. Yes. It does.

17 Q. That psych visit would be completed by the
18 licensing staff?

19 A. Yes; not the licensing specialists that are out
20 there in the county offices. There are two program specialists
21 in the state office that do that.

22 Q. Those are the staff specifically responsible for
23 the residential facilities?

24 A. That's correct.

25 Q. Besides the annual re-licensing visit, are there
STATE-WIDE REPORTERS (228) 432-0770

Page 40

1 A. I believe there is a procedure for that.

2 Q. Do you know what that procedure is?

3 A. It's a phone call usually. Usually, it's
4 reported to the regional director and the regional director is
5 the one that notifies and assigns the person who's going to
6 investigate.

7 Q. Would one of the responsibilities of the regional
8 director be to forward the information to the placement unit?

9 A. That's right.

10 Q. Would that information be filed with the provider
11 in the provider's case file?

12 A. It may or may not.

13 Q. Is there any reason why it wouldn't be filed
14 there?

15 A. Primarily it's maintained in MACWIS now.

16 Q. Is all the information that's in the paper case
17 files also maintained in MACWIS?

18 A. Not all of them. Are you talking just about
19 investigations?

20 Q. No. I'm referring to all the information in the
21 paper provider files? Is that now information that's also
22 maintained in MACWIS?

23 A. Not necessarily. You may have documents entered
24 in electronically, but the actual documents would be in the
25 paper files.

STATE-WIDE REPORTERS (228) 432-0770

Page 39

1 any other requirements for psych visits of DHS licensed
2 facilities?

3 A. There are no requirements. They do make other
4 visits if there are changes or somebody reports they're changing
5 or they might want to change their structure or their number or
6 something like that.

7 Q. Might they also make additional visits if there
8 had been a report of an allegation of abuse and neglect in a
9 facility?

10 A. They do not investigate allegations, but they do
11 follow-up if the investigator recommends or has findings and
12 there might be something they may need to follow-up.

13 Q. Would all their psych visits be documented in the
14 facility's paper files maintained by the placement unit?

15 A. Yes.

16 Q. On the issue of reports of maltreatment and care,
17 the placement unit staff are not responsible for investigating
18 those reports; is that correct?

19 A. That's correct.

20 Q. Would they receive any written information as to
21 those reports?

22 A. The reports are primarily in MACWIS now.

23 Q. Is there any process for the licensing
24 specialists to be notified when a report has been made regarding
25 an allegation of abuse and neglect in a foster home?

STATE-WIDE REPORTERS (228) 432-0770

Page 41

1 Q. As director of the placement unit which
2 would you consider the authoritative source for information as
3 to the license providers? Is it the paper case provider files
4 or is it MACWIS?

5 A. It has to be a combination of both.

6 Q. Is there some information in MACWIS that's
7 actually not in the paper provider files?

8 A. Yes.

9 Q. What types of information?

10 A. You're talking about just the resource files now;
11 not child's files?

12 Q. Correct; the provider's files.

13 A. Basically, with the foster homes, there may be
14 some training exercises and materials, certificates of training,
15 those dates would be documented in MACWIS, but the actual
16 certificates and exercises that they completed, there might be
17 actual letters of references that might be in the paper file,
18 they would be documented in MACWIS, but the actual letter itself
19 would not be in there.

20 Q. You mentioned that some of these maltreatment
21 reports as to foster care providers might actually be entered in
22 MACWIS and not make it into the paper case file, into the
23 provider's file?

24 A. It's my understanding that could happen because
25 basically everything that's documented is in MACWIS.

STATE-WIDE REPORTERS (228) 432-0770

11 (Pages 38 to 41)